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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,924	10/01/2003	William E. Adams	030515	8273

23464 7590 04/27/2005

BUCHANAN INGERSOLL, P.C.
ONE OXFORD CENTRE, 301 GRANT STREET
20TH FLOOR
PITTSBURGH, PA 15219

EXAMINER

STERLING, AMY JO

ART UNIT PAPER NUMBER

3632

DATE MAILED: 04/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/676,924

Applicant(s)

ADAMS, WILLIAM E.

Examiner

Amy J. Sterling

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-33 is/are pending in the application.
- 4a) Of the above claim(s) 4, 5, 11 and 16-33 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 6-10 and 12-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

This is the **Final Office Action** for application number 10/676,924 Door Hook with Hinge, filed on 10/1/03. Claims 1, 3-33 are pending. Claims 4, 5, 11, 16-33 are withdrawn. This **Final Office Action** is in response to applicant's reply dated 3/14/05. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.

Claim Objections

Claims 1 and 9 are objected to because of the following informalities:

Claim 1, line 6 recites, "to an other edge" which should be changed to "to another edge".

Claim 9 recites, "on the back side which his positioned to" and should be changed to "on the back side which is positioned to".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

Claims 1, 3, 6-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, lines 11 and 12, recites that "the back side and the second hook are in a common plane" and it is unclear how the hook which extends in several directions can

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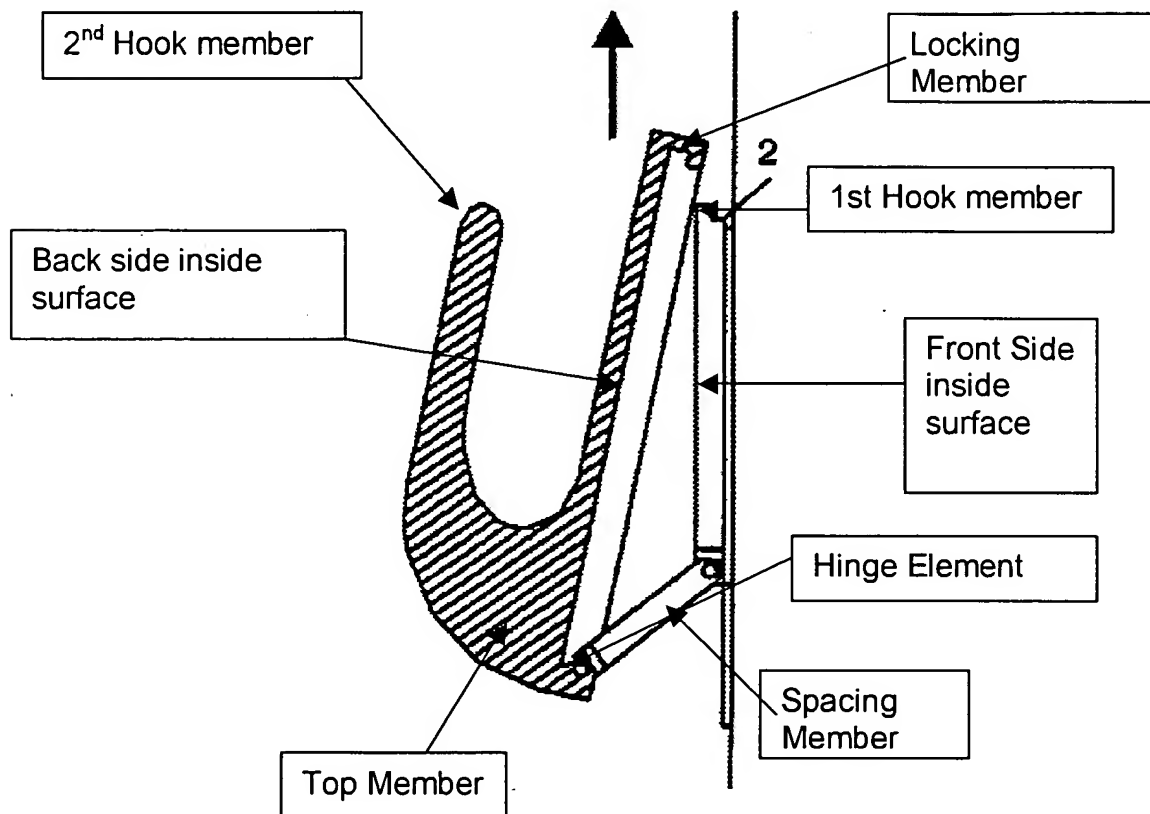
lie in a plane with the substantially flat back side. Claim 1 lines 13-15 also recites, "wherein the second hook member in the second position the second hook member and the front side and separated by a second distance less than the first distance." It is unclear what is meant by this phrase.

Claim Rejections - 35 USC § 102

Claims 1, 3, 6, 8-10 and 12-14 are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No 6082686 to Schumann.

Schumann teaches a styrene hook (See Col. 2, line 51 for material) having a U-shaped bracket having a top member (12) having a front side (See Drawing Below) having an inside surface, the front side which is attached at an acute angle to one edge of the top member, and a back side (21) having an inside surface, which is attached to an other edge of the top member opposite the one edge, wherein the front and back sides are separated by a first distance, a first hook member attached to the front side, a spacing member attached to the back side, a second hook member attached to the back side and a living hinge element (See Fig. 6, 115) provided in the back side such that the second hook member is pivotable in a direction toward the front side from a first position in which the back side and the second hook are in a common plane to a second position which is 180 degrees apart from the first position, in which the spacing member abuts the inside surface of the back side and faces the inside surface of the front side and in the second position the second hook is substantially parallel to the back side and to the common plane of the first position, wherein with the second hook member in the

second position the second hook member and the front side and separated by a second distance less than the first distance and a locking member on the back side .



Claim Rejections - 35 USC § 103

Claims 7 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 6082686 to Schumann as applied to claims 1 and 10 above.

Schumann discloses the basic inventive concept with the exception that it does not specifically disclose that the thickness of the top member is .05 to .08 inches.

It would have been obvious to one of ordinary skill in the art to have made the top member of any dimension, in order to support a device of the size desired, the dimension being a design choice which would be obvious to optimize. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made from the teachings of Schumann to have optimized the dimensions of the device including having the thickness of approximately 0.050 to 0.080 inches.

Response to Arguments

Applicant's arguments with respect to claims 1, 3, 6-10, 12-15 have been considered but are moot in view of the new ground(s) of rejection.

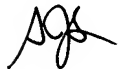
Conclusion

THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

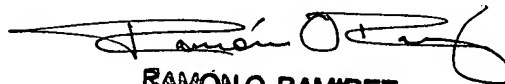
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action. Any inquiry concerning this communication should be directed to Amy J. Sterling at telephone number 571-272-6823. The examiner can normally be reached (M-F 8 a.m.-5:00 p.m.). If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Leslie Braun can be reached at 571-272-6815. The fax machine number for the Technology center is 703-872-9306 (formal amendments) or 571-273-6823 (informal amendments and communications). Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist at 571-272-3600.



AJS
Amy J. Sterling
4/23/05



RAMON O. RAMIREZ
PRIMARY EXAMINER